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and NAVROZ HAJI

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF CALIFORNIA

SCHNEIDER RUCINSKI ENTERPRISES,)
a California corporation,)

Plaintiff,)

vs.)

TOUCH ASIA OUTSOURCING)
SOLUTIONS, INC., et al.,)

Defendants.)

Case No. 08-CV-0138 WQH POR

POINTS AND AUTHORITIES
IN SUPPORT OF MOTION FOR
LEAVE TO FILE AMENDED
ANSWER ON BEHALF OF
DEFENDANTS COLO 6, LLC AND
NAVROZ HAJI

William Q. Hayes, District Judge
Courtroom 4, Fourth Floor

Hearing Date: May 27, 2008
Hearing Time: 11:00 a.m.

NO ORAL ARGUMENT REQUESTED

I
FACTS

On February 21, 2008, Colo 6, LLC filed its Answer in this action, jointly with defendant Navroz Haji, an individual. The Answer was signed by a managing member of the company and by Mr. Haji.

1 The plaintiff has filed ex parte motions (see Docket Nos. 29, 35 and 37) to strike that
2 Answer on grounds that the managing member of Colo 6, LLC cannot sign a pleading on behalf
3 of the entity.

4 On April 16, 2008, the undersigned counsel for Colo 6, LLC entered an appearance to
5 represent defendants Colo 6, LLC and Mr. Haji and to address the issue raised by the plaintiff.
6 The undersigned has prepared an Amended Answer, attached to the motion as Exhibit A. The
7 Amended Answer would be signed by the undersigned, an attorney duly admitted to practice in
8 the United States District Court for the Southern District of California.

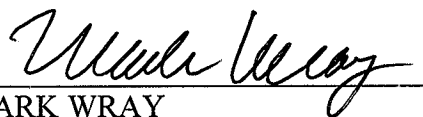
9 II

10 ARGUMENT

11 Rule 15 permits amendment of pleadings with leave of court. Leave shall be freely given
12 when justice so requires. *Id.*

13 This amendment is requested to remedy the filing of the Answer by the managing
14 member, so that Colo 6, LLC is properly represented before this Court. At this early stage of the
15 case, there is no prejudice to the plaintiff or any other party. It is therefore respectfully requested
16 that the motion be granted.

17 DATED: April 17, 2008

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19 MARK WRAY
20 Attorney for Defendants COLO 6, LLC and
21 NAVROZ HAJI
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CERTIFICATE OF SERVICE

The undersigned employee of the Law Offices of Mark Wray certifies pursuant to FRCivP 5 that a true copy of the foregoing document was sealed in an envelope with first class U.S. Postage prepaid thereon and deposited in the U.S. Mail at Reno, Nevada on April 17, 2008 addressed to the following:

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